IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.49031 of 2008
MAHENDRA PRASAD SINGH
Versus
STATE OF BIHAR & ANR

2/ 03-12-2008 Heard learned counsel for the petitioner who is an accused for offences punishable under section 498A of the Penal Code.

Petitioner is the husband of the complainant and the specific allegation against him is that he along with others tried to kill the complainant by setting her on fire although it was his duty to keep his wife with care, affection and security. In the said circumstances earlier the petition of the petitioner for anticipatory bail, bearing Cr. Misc. No. 41571 of 2006 was dismissed by this Court on 20.02.2007 (Annexure-1) but in spite of the aforesaid order the petitioner evaded arrest for more than one and half years and has now filed this petition for anticipatory bail again only on the ground that after dismissal of the earlier petition for anticipatory bail, he had filed a case for divorce bearing Matrimonial Case No. 761 of 2007. This clearly shows that, as alleged, the petitioner tried to kill his wife ,who approached the Court with respect to the said matter and when his prayer for anticipatory bail was rejected by this Court, he filed a suit for divorce obviously for the purpose of punishing the complainant for approaching the court of law for redressal of her grievance.

WEB COPY
NOT OFFICIAL

This Court does not find any bonafide reason to take a different view. Furthermore, this is a serious matter and the petitioner does not deserve any sympathy rather strict and urgent steps should be taken against him by the learned court below for his immediate arrest.

With the aforesaid observation, this petition is rejected.

B.Tiwary/ **(S.N Hussain,J)**